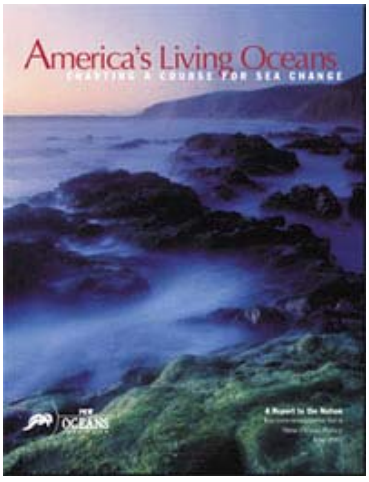
Pew Report Review

By Daniel Furlong, Council Executive Director



Amidst much ballyhoo and media coverage, the Pew Oceans Commission released its Report entitled "America's Living Oceans - Chartering a Course for Sea Change" on June 4th. A number of Report findings regarding the status of American fisheries and the system under which fisheries management is practiced appear to be fair assessments. For example, coastal development and associated urban sprawl are identified as agents of destruction and endangerment to coastal wetlands and estuaries that serve as nursery grounds for valuable fisheries species; nutrient runoff degrades rivers and bays such that harmful algal blooms lead to degradation and loss of sea grass, kelp beds, and coral reefs; overfishing is identified as a potential cause for the possible extinction of some fish species; destructive fishing practices are likewise identified as having the potential to damage vital fishery habitats; invasive species are said to be establishing themselves in coastal waters and are significantly affecting native species and their habitats and food webs; climate change is potentially capable of having profound impacts on coastal and marine ecosystems; and, global warming might create a sea level rise which would gradually inundate highly productive coastal areas.

The Report suggests that the root cause of these "ocean crises" is the failure of both perspective and governance. The Report states that the principal laws protecting our coastal zones, endangered marine mammals, ocean waters, and fisheries were enacted 30 years ago on a crisis-by-crisis, sector- by-sector basis. This piecemeal legislation has therefore created a hodgepodge of ocean laws and programs that do not provide a unified clearly stated objective for the oceans. The intent of the Commission is to identify policies and practices necessary to restore and protect living marine resources in US waters, and the ocean and coastal habitats on which they depend.

On its face, this Report seems non-threatening and benign. However, embedded in its recommendations about fishery management and governance are ideas and options that do not fit the reality of the current situation. Preceding the release of this Report, either through proxy organizations, or individuals with direct links to the Pew Charitable Trust, the media inundated the public with gloom and doom stories in an effort to establish an "ocean

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Bluefish FMP: Fact not Fiction

Horrors of the Deep Report - Inaccurate Story on the Bluefish Fishery Management Plan

Recently the Bluefish Fishery Management Plan (FMP) was highlighted by the Marine Fish Conservation Network's report "Horrors of the Deep!" as a fishery management "horror story." In a mixture of fact and fiction, the article attacked the plan as conservation nightmare that "allowed fishing mortality to increase dramatically." Nothing could be further from the truth.

The Bluefish FMP approved by the National Marine Fisheries Service in 1990, established management measures to limit the commercial fishery to 20% of the total bluefish catch (recreational catch plus commercial landings) each year. The major goal of the plan was to conserve the bluefish resource along the Atlantic coast. One of the objectives was to provide the highest availability of bluefish to U.S. fishermen while maintaining, within limits, traditional uses of bluefish. The 20% allocation to the commercial fishery was based on catch data that indicated that commercial landings have averaged about 20% of the total catch along the coast in the 1980s. As such, the plan was drafted to maintain historic allocations to protect both the commercial and recreational fisheries for bluefish.

Since the development of the original FMP, the plan has only been amended once. Amendment 1 was approved by NMFS in 1999 and became effective August 25, 2000. Amendment 1 established a schedule to eliminate overfishing and rebuild the bluefish stock. For the first two years of the rebuilding plan (1999-

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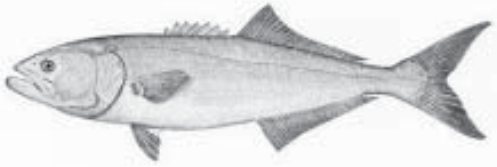

In this Issue:

THE MID-ATLANTIC FISHERY MANAGEMENT COUNCIL

302-674-2331
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Recent News

Council Takes Action on Summer Flounder, Scup and Squid

March 21, 2003

The Council set planning priorities for the Summer Flounder, Scup and Black Sea Bass Fishery Management Plan and established a control date for squid. The Council also conducted its third scoping meeting for Amendment 1 to the Spiny Dogfish FMP and held a 5-hour public workshop regarding the Research Set-Aside Program.

NOAA Fisheries Wins Tilefish Lawsuit

April 3, 2003

On March 31, the Honorable Richard M. Berman, U.S. District Judge for the Southern District of New York, ruled in favor of the Secretary of Commerce in a case brought before him by the National Resource Defense Council and the Environmental Defense. The Court ruled there was ample evidence in the record to support the Council's and Secretary's conclusion that no action was necessary to protect tilefish habitat given that there was no evidence to support the inference that bottom-tending mobile gear had an adverse effect on such habitat.

Council Takes Action on Summer Flounder, Scup and Black Sea Bass

May 12, 2003

The Council reviewed management measures to be included in Framework 3 to the Summer Flounder, Scup, and Black Sea Bass Fishery Management Plan (FMP) and developed a position regarding the Atlantic States Marine Fisheries Commission's Addendum VIII. The Council also continued discussion and added an additional alternative to the Atlantic Mackerel, Squid, and Butterfish Amendment 9 public hearing document.

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Mid-Atlantic Council Continues Year of Successful Management

May 14, 2003

NOAA's National Marine Fisheries Service released its 2002 Status of U.S. Fisheries Report to Congress yesterday. The report documents progress in rebuilding overfished stocks under federal management. The report noted that the spawning stock biomass for black sea bass has increased to record high levels in recent years, summer flounder projections indicated the stock is no longer overfished, and bluefish is well on the road to recovery.

Nation's Federal Marine Fisheries Managers to Host Fisheries Conference in November

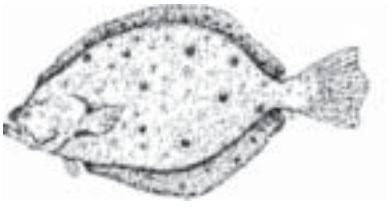
May 20, 2003

The public is invited to attend the first-ever fisheries management conference co-sponsored by the eight Regional Fishery Management Councils and the National Marine Fisheries Service. The conference will be held in Washington, D.C., November 13-15, 2003. The conference, entitled Managing Our Nation's Marine Fisheries -- Past, Present and Future, promises to be an educational and insightful experience.

Summer Flounder Stock at Record Levels

June 13, 2003

Spring survey information indicates the summer flounder resource has reached the highest levels ever recorded since the survey began in 1968. Information from this survey combined with 2003 survey data from the states and other Northeast Fisheries Science Center surveys, as well as data from the commercial and recreational fisheries, were used to update the assessment. Based on the 2003 Summer Flounder Advisory Report issued by the Stock Assessment Workshop (SAW) Southern Demersal Working Group, the summer flounder stock is no longer overfished and overfishing is no longer occurring.



Council Moves Forward with Frameworks

Frameworks 3, 4, and 5 to Summer Flounder, Scup, and Black Sea Bass FMP

The Council is currently in the process of adopting two frameworks to the Summer Flounder, Scup and Black Sea Bass Fishery Management Plan. Both frameworks would modify the current commercial regulations for scup.

The commercial fishery for scup is managed by a commercial quota system that allocates quota to three periods: January-April (45.11%), May - October (38.95%), and November-December (15.94%). During the winter periods (January-April and November-December), a coastwide quota and possession limits are in effect whereas in the summer, a state-by-state quota is used to manage the quota. The commercial fishery is closed when the allocation for a period is reached. In addition, any overages during the winter are subtracted from the period's allocation for the following year and any quota overages by a state during the summer period are subtracted from the state's share the following year. The current regulations do not allow for the transfer of quota within the year between periods.

The purpose of Framework 3 would be to allow the scup fishery to operate more efficiently during the winter periods. Specifically, the framework would modify the current system to allow for the transfer of unused scup quota from the Winter I period to the Winter II period. As such, if the fishery did not land their quota in Winter I due to poor weather conditions, changes in the distribution of scup, or market conditions (i.e., low price) the opportunity to land those scup would not be lost. As such, this change in management measure should allow for positive economic and social impacts on fishermen and their communities without negatively impacting the scup stock or stocks of other species.

This framework document also acknowledges that the states, through the Commission, could allow for landings of scup by state permit holders that would apply to the summer period quota prior to the start of the summer period. Specifically, in the event of a Winter I closure prior to April 15th, state permit holders could land and sell scup caught exclusively in state waters to state and federally permitted dealers after April 15th and prior to the federal opening of the summer period on May 1. Landings by state permitted fishermen after April 15th and prior to May 1 would apply to the summer period quota allocated to the state where the scup were landed. The current allocation formula would remain unchanged and the timing of the periods for federal permit holders would also remain unchanged - the Winter I period would begin January 1 and end April 30; the Summer period would begin May 1 and end Oct 31; the Winter II period would begin November 1 and end December 31.

Framework 4 would remove the current prohibition on the transfer of scup at sea. This alternative recognizes that the current biomass levels of scup may result in catches of scup, even with a very short tow, in excess of the possession limit by vessels using otter trawls. These vessels may exceed their possession limit. As such, the regulations would be modified to allow for the transfer of scup at sea between vessels. Any amount of scup less than the possession limit could be transferred between two vessels given the following conditions: transfers would have to occur between vessels with federal scup permits; and, transfers could only occur during an open period during Winter I or Winter II (January to April 30 and November to December 31). The transfer would have to include the entire codend and only scup could be transferred.

In addition to these frameworks, the Council adopted a motion at its meeting in March to begin the development of a framework to allow for multi-year specifications in the summer flounder, scup and black sea bass plan. Currently, the Council recommends total allowable landing limits (TALs) to the National Marine Fisheries Service on an annual basis. This framework, which would allow for the specification of TALs for a period of up to three years, will be developed in early 2004 with a possible implementation date of January 1, 2005. ■

National Fisheries Conference, November 2003

Sponsored by the Eight Regional Fisherery Management Councils and NOAA Fisheries

The public is invited to attend the first-ever fisheries management conference co-sponsored by the eight Regional Fishery Management Councils and the National Marine Fisheries Service (NOAA Fisheries). The conference will be held in Washington, D.C., November 13-15, 2003.

The conference, entitled *Managing Our Nation's Marine Fisheries – Past, Present, and Future*, promises to be an educational and insightful experience. Whether you are a fisherman, an environmental advocate, a policymaker or a reporter, the conference sessions will be pertinent and informative as Congress considers the re-authorization of the Magnuson-Stevens Fishery Conservation and Management Act, which governs management decisions for our nation's marine fisheries.

The conference aims to educate the public on the fishery management process and current management research initiatives, and help bridge the gap between perception and reality regarding management of our nation's fisheries. The conference also will provide a forum for information exchange and examination of a wide range of perspectives on future management and marine research directions.

Whether you are interested in regional bycatch issues, concerned about human impacts on fish habitats, or want to learn more about ecosystem management, marine research or conservation of protected species, you will find what you are looking for at the November conference in Washington, D.C.

The conference will offer the opportunity to meet with Council executive directors and chairmen, as well as others involved in living marine resource management.

Conference Logistics:

When: November 13-15, 2003

Where: Omni-Shoreham Hotel and Conference Center, 2500 Calvert Street, Washington D.C. Registration: Advance registration requested. Attendance is free of charge.

We will send you more information when the conference web site is posted and online registration is available. ■

A Gear Modification Study to Reduce Scup Bycatch

By Eleanor A. Bochenek and Eric N. Powell, Haskin Shellfish Research Lab, Rutgers University



The Mid-Atlantic Bight *Loligo* squid fishery is a small-mesh fishery and discarding could account for a substantial fraction of the yearly total allowable catch of many important species such as scup. Powell et. al. estimated that commercial fisheries discarded about 2.2 million kg of scup in 2001 with the majority (56.0%) from the directed scup fishery and 6.8% from the *Loligo* squid fishery. In 2000, regulations were imposed that created gear restricted areas (GRAs) that closed certain areas of the ocean that were assumed to be areas of high scup discarding to small-mesh fisheries. The adoption of GRAs as a management tool has been highly controversial, due to commercial fishermen's loss of significant access to winter *Loligo* fishing grounds. Subsequent efforts by the MAFMC and Industry have focused on identifying management alternatives, such as gear modifications, that would reduce the catch of scup in the *Loligo* squid fishery. Glass (2002) described one possible option that consisted of a large-mesh section in the extension 45 meshes above the codend. Glass (2002) observed a reduction in scup capture in inshore waters, selection favoring the release of smaller scup, and the absence of an effect on *Loligo* squid capture when this modified net was used.

The purpose of this study was to evaluate the success of the new 2003 net regulations in the offshore *Loligo* squid fishery in achieving a desired reduction of scup discarding. The regulations require that trawlers fishing in the GRAs use a modified trawl net that has an escapement extension consisting of a minimum of 45 meshes of 5.5'' square mesh that is positioned behind the body of the net and in front of the codend.

The study was conducted in the northern and southern GRAs when the time-area closure was in effect. Forty tows were observed on two vessels in the northern GRA in November 2002. Thirty-four tows were observed on two vessels in the southern GRA in January-February 2003. Boats fished the net legal in 2002 (A) and the modified net legal in 2003 (B) in an ABBA pattern. Vessels fishing in the northern GRA used 3- bridle 8'' box nets and vessels fishing in the southern GRA used millionaire nets. The modified net included a section comprising 45 meshes of 5.5'' square mesh fully encircling the extension. In the southern GRA, two boats fished in parallel, alternating nets to permit four pair-wise comparisons: A_1A_2, B_1B_2, A_1B_2, and B_1A_2. Captains used normal fishing procedures and chose the fishing locations with two exceptions. Captains were asked to fish within a GRA and tow times were limited to 2 hr or less. Tow speed ranged from 3-3.3 knots. Each tow was brought onboard, all fish sorted to species and weighed. One hundred *Loligo* squid and scup were randomly selected from each tow and measured to total length for scup and mantle length for squid.

The 20 most commonly caught species were not caught in the same proportions in the northern and southern GRAs. Catches in the northern GRA consisted primarily of scup, spiny dogfish, little skate, and summer flounder. Relatively little of the target species, *Loligo* squid, was caught. Catches in the southern GRA consisted almost exclusively of *Loligo* squid and no scup were caught.

The modified extension resulted in nearly a factor of three fewer *Loligo* squid being caught per tow. The difference was significant. Focusing on the paired vessels in the southern GRA, boats fishing with the modified extension caught significantly fewer *Loligo* squid per tow. One of the boats fishing in the southern GRA was more successful at catching squid with the modified extension than the other three boats. Average *Loligo* catch per tow for this boat was about the same regardless of the extension used. The decrease in *Loligo* catch was explained mostly by an overall decrease in total catch with the modified extension.

Scup were caught only in the northern GRA. Considerably fewer scup were caught using the modified extension. It appears that much of the loss of scup was explained by an overall decrease in total catch.

The goal of the modified gear was to reduce catch of finfish, particularly scup, while not affecting the catch of *Loligo*. We evaluated the ratio of catches of various species to that of *Loligo* squid, expecting this ratio to decline with the modified gear. Although scup catch declined significantly, the ratio of scup to *Loligo* did not vary significantly with extension configuration, indicating that both *Loligo* squid and scup decreased in approximate proportion in catches of boats fishing with the modified extension in the northern GRA. Scup were not caught in the southern GRA

The modified extension was expected to increase escapement of smaller finfish while retaining *Loligo* squid. A tendency existed for smaller scup to escape from the modified extension relative to the net with the unmodified extension since the 75th percentile of size was significantly higher in scup retained in nets using the modified extension.

For *Loligo* squid, the 25th percentile, the median, and the mean size were significantly higher in tows using the modified extension. The boat fishing in the southern GRA that was characterized by equivalent squid catches regardless of the extension design used caught significantly larger squid than the other boats. For this vessel, the size frequency of squid caught also did not materially change between the two extension designs. Whereas in the other cases where boats caught significantly fewer squid when the modified extension was used, the squid retained averaged a significantly larger size.

Powell et. al. did not observe a reduction in scup discarding in *Loligo*-targeted tows since the GRAs were imposed. In this study, the catches of scup and *Loligo* squid support the suspicion that the imposition of GRAs has, at the very least, had no effect on scup discarding in the *Loligo* directed fishery and may have increased scup discarding by keeping *Loligo* vessels out of the GRAs during times when no scup was present (and redirecting effort out of the GRAs into shallower water where scup were present).

Scup was the primary fish caught in the northern GRA during the November study. *Loligo* squid catches were consistently low throughout the northern GRA study and tows covered a substantial fraction of the GRA. Average catch per tow was 248.7 kg of scup and 57.3 kg of *Loligo* squid. Squid catches were too low to sustain a directed fishery in this GRA in November (i.e. commercial fishermen would not have pursued a directed *Loligo* fishery in these areas without concentrations of *Loligo*. The catches of *Loligo*, though, were

Trawl Survey Advisory Committee

Initial Meeting with Committee Members

The initial meeting of the MAFMC/NEFMC Trawl Survey Advisory Committee was held in Secaucus, New Jersey on May 5 and 6. This Committee, with input from the ASMFC, will provide advice and feedback to the NEFSC on trawl surveys conducted by the Center. This is a unique opportunity for four Council members, four commercial fishermen, four outside gear- knowledgeable scientists and two NEFSC members to work closely to ensure that survey design and methodology issues are thoroughly reviewed.

The meeting was started by the MAFMC Executive Director, Dan Furlong, and the Acting NEFSC Director, Dr. John Boreman, discussing their expectations for the Advisory Committee. All Committee members then had the opportunity to discuss their perceptions of what the Committee's goals and objectives should be. Although individuals were coming to the table with widely divergent opinions, when it was learned that the *Albatross* would be replaced by a new research vessel as early as December 2006, the focus of the Committee became clearly evident. Obviously, trawl warp issues and how they impact on mid-Atlantic species' survey indices will need to be addressed quickly (NEFSC species have mostly been addressed in the past nine months), and comparability studies will have to be started in order to maintain the survey time series with the new vessel.

Chairman, James Ruhle (Bud Fernandes of the NEFMC is the Vice Chairman) wanted the Committee to develop, at the initial meeting, a final prioritization of the long and short-term goals of the Committee. However, with all the discussion and new information brought forth at the first meeting, he decided to have everyone develop individual priorities and provide them to Council staff in June. Based on such input, the lists will be provided at the second meeting for the Committee to finalize.

The second meeting will be held in Woods Hole on July 29 and 30. Center presentations are being developed for this meeting using work that has been conducted regarding the trawl warp issue for the NEFMC; changing Canadian trawl survey design; and, evaluations of which species are most susceptible to trawl design changes at both a survey and a stock assessment perspective.

It is anticipated that future meetings will be held quarterly and they will be rotated between the Mid-Atlantic and New England regions. For more information regarding the Committee, contact Tom Hoff at 302-674-2331. ■

Gear Study

Continued from page 4

sufficient to test the efficacy of the proposed net modifications).

In contrast, a very different situation existed in January-February in the southern GRA. In this study, squid catches averaged 1,025 kg/tow in the southern GRA. Thus, had the GRA been open, *Loligo* fishing almost certainly would have taken place and been relatively intensive. Yet, in the 34 tows taken by two vessels, not a single individual scup was caught. Thus, had this area been open to fishing, fishing certainly would have occurred and scup discarding would have been low.

We tested the regulated modification against the net used outside the GRAs on four boats and in both GRAs. For the net modification to be successful, *Loligo* squid catch should not be substantially impaired, whereas scup catch should be reduced. On three of the four vessels, Loligo squid catch was significantly reduced. Scup catch was also reduced on the two vessels fishing in the northern GRA where scup were caught, but this reduction in scup catch could be explained by the reduction in total catch observed with the modified net. That is, selection against scup did not occur.

For the second boat fishing in the southern GRA, Loligo squid catches did not decline when the modified extension was used. This observation agrees with the observations of Glass (2002) of the same net configuration. This vessel fished in the southern GRA where no scup were caught and the impact of this net on scup could not be evaluated. The data suggest that the insertion of a 5.5" square-mesh section in the extension can reduce the capture of highly mobile finfish like scup. Unfortunately, the data also indicate that this is likely not to be routinely achieved in the fishery because of large boat-to-boat variations in net performance.

There was a change in size-frequency for *Loligo* squid and scup. The shift in scup suggests that the catchability of smaller scup was reduced relative to larger scup using the modified extension as was observed by Glass (2002). Because juvenile scup weigh less, preferential exclusion of juveniles might not impact total catch weight significantly. We did not see a proportional decrease in scup catch when compared to total catch or *Loligo* squid catch in accordance with this inference.

Small *Loligo* squid were preferentially lost by the boats that showed a reduction in *Loligo* squid catch when using the modified extension. The one boat that also did not see a change in *Loligo* squid catch did not see a change in squid size frequency. This latter dataset also conforms to the observations of Glass (2002).

Clearly, implementation of the modified extension based on the published specification (Anonymous 2003) did not produce dependable results. In cases where scup catch was reduced, a proportional reduction of *Loligo* catch also occurred. This would indicate that a Captain, using the modifications, to catch a full *Loligo* trip would have to proportionally increase his fishing effort, wasting fuel and time and would not result in an overall reduction of scup bycatch in the *Loligo* directed fishery. Overall, the data indicate that the modified extension can produce reduced catches of mostly smaller-sized finfish without impairing squid catch, as documented by Glass (2002), but the data also indicate that this result may not be routinely achieved. The large boat-to-boat variation in net performance is the critical observation. The modified extension was relatively successful on one boat and not so on the other three. Clearly, more experimentation is desirable to provide a net description for regulation that would more consistently achieve the desired results. ■

Editor's Note: The results of this study have not yet been peer reviewed. Results will be compared to previous studies to develop recommendations for the small-mesh fisheries in 2004.

Pew Report

Continued from page 1

crisis." In reality, the problems are not nearly as bad as the authors of this document would like for readers to believe. To justify one of what the Report identifies as the root cause of the "ocean crisis", i.e., perspective, the authors note that US ocean jurisdiction spans nearly 4.5 million square miles. This area is nearly a quarter larger than our nation's land area. Clearly this is a large area. But, given that 70% of our planet is covered by ocean, the US portion of the world's oceans is only 3.25%. How's that for perspective? 3.25%! We can, and should, try to do our best to address this small share which we call US jurisdiction, but it is arrogance beyond reason to suggest that we can cure what ails the world's oceans.

The other identified root cause of our "ocean crisis" is governance. It is here, particularly as it relates to fisheries management, that the Report has identified a number of solutions that, in a superficial sense, have sound good qualities, but lack the substance to actually yield the desired outcome. The first solution under restoring America's fisheries is to protect marine ecosystems by redefining the principal objective of American marine fisheries policy. The Report recommends that protectionism, not conservation and management, be this nation's policy. Ecosystem is not defined, nor will you find a readily accepted definition for marine ecosystem that will satisfy most practitioners. Hence, how can you protect what you can't define? This is a concept that, in theory, sounds good, but in practice, has not been achieved. Absent an accepted definition for marine ecosystem, and absent required data and agreed upon scientific models, this recommendation cannot be achieved.

The Report goes on to suggest that fishery conservation and allocation decisions be separated. Such a proposal would empower scientists to enjoy an isolated conservation decision-making process that would eliminate public debate and input. The Magnuson-Stevens Fishery Conservation and Management Act (MSA) currently links the conservation and allocation process, and such a linkage should continue so as to insure that optimum yield for a fishery is indeed actualized.

Eco-based planning and marine zoning are also suggested fixes. When we can arrive at an acceptable definition for what an ecosystem is, we can move from theory to practice. Until that time, this recommendation rings hollow.

The fourth recommendation to restore America's fisheries addresses the need to regulate the use of fishing gear that is destructive to marine habitats. This is a throw-away recommendation inasmuch as this "need" is currently addressed in all federal fishery management plans as a consequence of the 1996 Sustainable Fisheries Act (SFA).

The Report's fifth item, requiring a bycatch monitoring and management plan as a condition of fishing, is contemplated by the SFA, but as the authors of the document have indicated, substantial increases in investments in understanding and managing America's oceans are needed. Greater financial commitment is needed to strengthen governance and management of the infrastructure to improve the scientific understanding of marine ecosystems and marine impacts. Until this unfunded mandate, i.e., National Standard 9, is adequately addressed by an infusion of financial commitment to strengthen and improve our understanding of bycatch, this recommendation rings hollow as well.

The Report's next recommendation requires a comprehensive access and allocation planning process as a condition of fishing, and like recommendation four, this too is a throw-away recommendation inasmuch as this recommendation is the current practice of America's fishery management system, i.e., as required by MSA Fishery Management Plans (FMP) are developed in a very comprehensive fashion.

The final recommendation calls for the establishment of a permanent fishery conservation and management trust fund. Such an initiative should be supported and used to enhance funding for science, management, and enforcement related to the practice of fishery management under the MSA.

The second stated root cause of "ocean crises" is governance. Five recommendations are made to correct this problem. The first, and most important, is the enactment of a National Ocean Policy Act to protect, maintain, and restore the health and integrity of our oceans. There appears to be a genuine failure on the part of the authors to appreciate that the hodgepodge (their word) of laws that currently exist achieve what is stated to be the objective of this proposal. The second governance suggestion is to establish a regional Ocean Ecosystems Council to develop and implement regional ocean governance plans. Notwithstanding definition issues, this may be a worthwhile suggestion and fishery management councils should be used as a template as to how such Councils could operate. The U.S. fishery management council process, as criticized as it is, is still the best fishery management system in the world. See NMFS' most recent Congressional Status of Stocks Report to confirm that of the major stocks under federal management (representing 99.9% of all US landings), only 16% are overfished and experiencing overfishing. The third recommendation is to establish a system of fully protected marine reserves. Such a system is already contemplated by the National Marine Sanctuary Act, and Regional Fishery Management Councils have had such authority since they were created. But, as Robert Frost wrote in his poem Mending Wall:

"Before I built a wall I'd ask to know,
What I was walling in or walling out,
And to whom I was like to give offense.
Something there is that doesn't love a wall, That wants it down."

Such an attitude should be applied to suggestion number three.

The fourth recommendation is to establish an independent national oceans agency. Huh? Although NOAA is embedded within the Department of Commerce, it is nonetheless a national oceans agency and operates as an independent entity within the Department. As for its final recommendation regarding governance, i.e., to establish a federal interagency oceans council, such a council may have merit and should be considered as a possible future action.

Bottom line . . . it is difficult to buy into much of the Pew Oceans Commission's Report's findings and recommendations as they tend to sound like pronouncements from on high. Nonetheless, the Report merits consideration and attention. It should be used to help craft reauthorization of the Magnuson-Stevens Act in conjunction with the Oceans Commission Report that will be released later this summer, and findings from the National Conference on Fisheries Management to be convened in Washington, DC later this year.

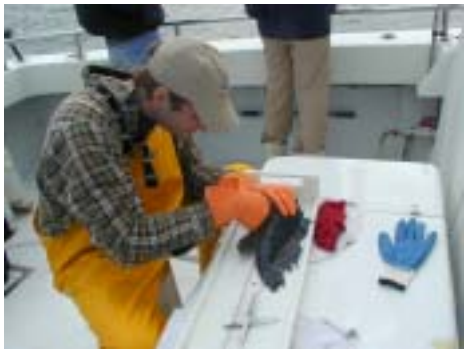
As to the other more comprehensive holistic views, others will have to review and dissect the Report's suggestions. Undoubtedly, some will find true pearls of wisdom. Others will find fault - lots of it. However, anyone involved in fisheries management should take the time to read the Report, consider the source, and make his or her own judgement as to its value and agenda. ■

Black Sea Bass Tagging Project

By Joshua Moser, NOAA Fisheries

The Cooperative Black Sea Bass Tagging Project was designed to examine the population size, exploitation rate and seasonal movements of the northern Atlantic coast black sea bass. Black sea bass have been divided into two separate populations along the Atlantic coast, with the northern population distributed north of Cape Hatteras, NC. This project is conducted through cooperation among NOAA's National Marine Fisheries Service (NOAA Fisheries), state fishery agencies, and both commercial and recreational fishermen. Tag recovery information is compared to release data to provide a basis for determining seasonal movements inshore and offshore as well as a better understanding of population dynamics and the ecological condition of the black sea bass.

During the fall of 2002, federal and state fishery employees began tagging and releasing black sea bass from Cape Cod, MA to Cape Henry, VA. Since that time the project has been dependent on commercial and recreational fishermen to report their catch of tagged black sea bass. This study requires reporting fishermen to provide a tag number, fish length, specific recapture location (Loran or lat/long preferred) and vessel information. Each tag holder is eligible to claim a reward after reporting the recaptured fish to the NOAA Fisheries office in Woods Hole, MA.



As of June 4, 2003, a total of 5,541 black sea bass have been tagged. These include 394 high reward tags. The total number of recaptures to date is 345.

For more information on the tagging program, contact Gary Shepherd via email at: *gshepher@whsun1.wh.whoi.edu.*

Bluefish

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years 6-9 (2004-2007). During the rebuilding period, the target F for the next fishing year will be set at the level specified in the foregoing schedule, or the level estimated for the most recent year, whichever is less. This approach will allow for stock rebuilding to a level which will support harvests at or near MSY by the year 2007 or earlier.

That amendment also modified the allocation formula based on the historic proportion of commercial and recreational landings for the period 1981-1989. The amendment allows the commercial quota to increase to 10.5 million pounds (if 17% of the allowable landings are less than 10.5 million pounds) if the recreational fishery is projected not to take 83% of the allowable landings. Since 1994, the commercial landings have ranged from 7.1 to 9.5 million pounds. These landings have represented 36 to 46% of the total landings for these years. These percentages reflect decreased landings by recreational fishermen not an expansion of the commercial fishery.

Recreational harvest has dropped as other species of finfish have increased in abundance and attracted more angler attention. In the past 12 years for which data are available (1990-2001), recreational bluefish landings have fallen from a high of 33.0 million pounds in 1991 to a low of 8.3 million pounds in 1999. For the same period, the number of trips targeting bluefish has fallen from 5.8 million to 1.2 million. In 2001, more bluefish were caught by anglers in any year since 1991. However, more bluefish were released; the release rate was 67%, the third highest on record. This drop in angler interest has allowed for reduced recreational landings. In fact, most anglers harvest 1 or 2 bluefish per trip, far fewer than the 10 fish possession limit adopted by most of the states.

In fact, in 2000 when several individuals suggested that the Council and Commision increase the possession limit to 15 for 2001, the Council and Commission agreed and voted to recommend the increase to the NMFS. However, it is important to note that even though the supporters of the increase argued that such an increase was important for coastal fishermen, only two states increased their possession limit in 2001 from 10 to 15, New Jersey and North Carolina.

The commercial landings have never exceeded the coastwide quota since they were first implemented by the states in 1994. In fact, from 1994 to 2002 commercial landings have averaged 8.3 million pounds. This represents a significant drop in landings relative to the 1984 to 1993 average of 13.0 million pounds. As such, the statement that the commercial fishery has "been allowed to exceed its allotted share" is not supported by fact.

The increase in the commercial quota occurs only if the recreation fishery is projected to not take its allocation. Given that the recreational fishery landed 13.2 million pounds in 2001 and that the eight year average for 1994 - 2001 is about 12.5 million pounds, it was very likely that recreational landings would fall below the 18.5 million pounds initially allocated to them for 2002. As such, the Council and Commission recommended the transfer of about 6 million pounds to the commercial fishery. The resulting recreational TAL would be 16.3 million pounds for 2002, or about 6 million pounds more than they landed in 2000.

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The article suggests that the Council acynically allows fishing mortality to increase dramatically by choosing to transfer these savings to the commercial sector. This is untrue. The Council sanctions such transfers openly, and does so recognizing that the bluefish stock is quite capable of withstanding such exploitation. By allowing modest transfers of recreational allocations to the commercial sector, the Council has attempted to recognize its mandate to address National Standard 8 regarding social and economic consequences within a fishery, and National Standard 9 regarding minimizing bluefish bycatch mortality.

The annual bluefish total allowable landings established by this Council are consistent with the rebuilding plan. The Council does not "promote the catching and killing of as many fish as possible, regardless of conservation needs" as is stated in the article. During the past three years (2000-2002), collectively, the recreational and commercial sectors have landed about 59% of the authorized total landings allowed. This sub-attainment of total allowable landings suggests that the bluefish population will be rebuilding faster than the Plan's design.

In fact, in a recent report to Congress on the status of our nation's fisheries, NMFS indicated that overfishing was not occurring for bluefish. In addition, projections indicate that bluefish will soon no longer be overfished. As such, so long as the stock continues to grow, and so long as it is currently exploited at a rate that does not exceed what the rebuilding plan authorizes, management of the bluefish fishery will continue to be labeled a true success story. ■

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